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HOUSE OF COMMONS

First Session—Twenty-seventh Parliament

1966

STANDING COMMITTEE

ON

PRIVILEGES AND ELECTIONS

Chairman: Mr. G. ROY McWILLIAM

MINUTES OF PROCEEDINGS AND EVIDENCE

No. 1-12 (1968/69)

1-21 (1969/70)

TUESDAY, MARCH 1, 1966

THURSDAY, JULY 7, 1966

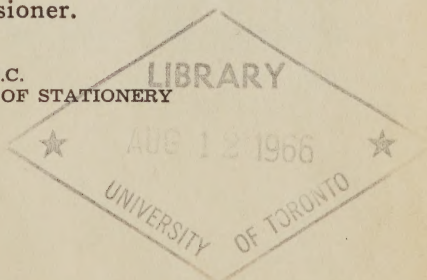
Respecting

Main Estimates for 1966-67, relating to the Office of the
Chief Electoral Officer.

WITNESSES:

Mr. J. M. Hamel, Chief Electoral Officer; Mr. Nelson J. Castonguay,
Representation Commissioner.

ROGER DUHAMEL, F.R.S.C.
QUEEN'S PRINTER AND CONTROLLER OF STATIONERY
OTTAWA, 1966



STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS

Chairman: Mr. G. R. McWilliam

Vice-Chairman: Mr. Marcel Prud'homme

and

Mr. Aiken,
Mr. Béchar, d,
Mr. Caron,
Mr. Crossman,
Mr. Howard,
Mr. Hymmen,
Mr. Korchinski,
Mr. Lachance,

Mr. Lessard,
Mr. Lind,
Mr. Loiselle,
Mr. Macquarrie,
Mr. Mongrain,
Mr. Nielsen,
Mr. Nugent,

Mr. Rochon,
Mr. Scott (*Danforth*),
Mr. Tardif,
Mr. Thomas,
(*Middlesex West*),
Mr. Valade,
Mr. Woolliams—(23).

(Quorum 12)

Gabrielle Savard,
Clerk of the Committee.

NOTE: Messrs. Crossman, Béchar, d and Loiselle replaced Messrs. Boulanger, Richard and Leblanc (*Laurier*) on July 6.

ORDERS OF REFERENCE

HOUSE OF COMMONS,

MONDAY, February 7, 1966.

Resolved,—That the following Members do compose the Standing Committee on Privileges and Elections:

Mr. Aiken,	Mr. Lessard,	Mr. Richard,
Mr. Boulanger,	Mr. Lind,	Mr. Rochon,
Mr. Caron,	Mr. Macquarrie,	Mr. Scott (<i>Danforth</i>),
Mr. Howard,	Mr. McWilliam,	Mr. Tardif,
Mr. Hymmen,	Mr. Mongrain,	Mr. Thomas
Mr. Korchinski,	Mr. Nielsen,	(<i>Middlesex-West</i>),
Mr. Lachance,	Mr. Nugent,	Mr. Valade,
Mr. Leblanc (<i>Laurier</i>),	Mr. Prud'homme,	Mr. Woolliams—(23).

Ordered,—That, notwithstanding the provisions of Standing Order 65, the said Committee shall consist of twenty-three members.

TUESDAY, March 22, 1966.

Ordered,—That, saving always the powers of the Committee of Supply in relation to the voting of public monies, the items listed in the Main Estimates for 1966-67, relating to the Office of the Chief Electoral Officer be withdrawn from the Committee of Supply and referred to the Standing Committee on Privileges and Elections.

WEDNESDAY, July 6, 1966.

Ordered,—That the names of Messrs. Crossman, Béchard, and Loisele be substituted for those of Messrs. Boulanger, Richard, and Leblanc (*Laurier*) on the Standing Committee on Privileges and Elections.

Attest.

LÉON-J. RAYMOND,
The Clerk of the House.

REPORTS TO THE HOUSE

THURSDAY, July 7, 1966.

The Standing Committee on Privileges and Elections has the honour to present its

FIRST REPORT

Your Committee recommends that its quorum be reduced from 12 to 9 members.

Respectfully submitted,

G. ROY McWILLIAM,
Chairman.

THURSDAY, July 7, 1966.

The Standing Committee on Privileges and Elections has the honour to present its

SECOND REPORT

Pursuant to its Order of Reference of Tuesday, March 22, 1966, your Committee had before it for consideration the item listed in the Main Estimates of 1966-67 relating to the Office of the Chief Electoral Officer.

Your Committee has considered this item and commends it to the House.

A copy of the relevant Minutes of Proceedings and Evidence (Issue No. 1) is appended.

Respectfully submitted,

G. ROY McWILLIAM,
Chairman.

MINUTES OF PROCEEDINGS

TUESDAY, February 22, 1966.

The Standing Committee on Privileges and Elections having been duly called to meet at 11.30 a.m. for organization purposes, the following members were present: Messrs. Boulanger, Caron, Hymmen, Lachance, Leblanc (*Laurier*), Lessard, Lind, Macquarrie, Prud'homme, Richard, Tardif (11).

There being no quorum at 11.55 a.m., the organization meeting of the committee was postponed.

TUESDAY, March 1, 1966.

(1)

The Standing Committee on Privileges and Elections met this day at 9.55 a.m. for organization purposes.

Members present: Messrs. Aiken, Boulanger, Caron, Howard, Hymmen, Lessard, Macquarrie, McWilliam, Prud'homme, Richard, Rochon, Tardif (12).

The Clerk attending and having called for nominations,

Mr. Howard moved, seconded by Mr. Tardif, that Mr. McWilliam be elected Chairman of this Committee.

Mr. Caron moved that nominations be closed.

There being no other nominations, the Clerk declared Mr. McWilliam elected Chairman and invited him to take the Chair.

Mr. McWilliam thanked the Committee for the honour bestowed upon him and invited nominations for Vice-Chairman.

Mr. Lessard moved, seconded by Mr. Hymmen, that Mr. Prud'homme be elected Vice-Chairman of this Committee.

Mr. Caron moved, seconded by Mr. Lessard, that nominations be closed.

Mr. Chairman declared Mr. Prud'homme elected Vice-Chairman of the Committee.

The Vice-Chairman thanked the Committee for his election.

Mr. Howard moved, seconded by Mr. Aiken, that the Committee report to the House recommending that The Canada Elections Act be referred to it for examination, study and report. After discussion, the question being put, it was carried unanimously.

At 10.05 a.m., on motion of Mr. Lessard, seconded by Mr. Macquarrie, the Committee adjourned to the call of the Chair.

THURSDAY, June 2, 1966.

The Standing Committee on Privileges and Elections having been duly called to meet at 9.30 o'clock a.m. this day, the following members were present: Messrs. Caron, Korchinski, McWilliam, Mongrain, Richard and Thomas (*Middlesex West*).

In attendance: Mr. Nelson J. Castonguay, Chief Electoral Officer; Mr. E. A. Anglin, Assistant Chief Electoral Officer, and Mr. J. R. Fauvelle, Chief Examiner of Election Accounts.

There being no quorum, at 9.55 a.m., the meeting was postponed.

Gabrielle Savard,
Clerk of the Committee.

TUESDAY, June 21, 1966.

The Standing Committee on Privileges and Elections having been duly called to meet at 9.30 a.m., this day, the following members were present: Messrs. Aiken, Boulanger, Hymmen, Lessard, McWilliam, Mongrain, Prud'homme, Scott (*Danforth*)—(8).

In attendance: From the Office of the Chief Electoral Officer: Mr. J. M. Hamel, Chief Electoral Officer; Mr. M. Fauvelle, Chief Examiner of Election Accounts.

From the Representation Commission: Mr. Nelson J. Castonguay, Commissioner.

At 10.00 a.m., there being no quorum, the meeting was postponed.

Timothy D. Ray,
Acting Clerk of the Committee.

THURSDAY, July 7, 1966.
(2)

The Standing Committee on Privileges and Elections met this day at 9.50 a.m. The Chairman, Mr. McWilliam, presided.

Members present: Messrs. Aiken, Béchard, Caron, Crossman, Hymmen, Lachance, Lessard, Lind, Loiselle, McWilliam, Mongrain, Prud'homme, Rochon, Scott (*Danforth*), Tardif (15).

In attendance: Mr. J. M. Hamel, Chief Electoral Officer; Mr. M. Fauvelle, Chief Examiner of Election Accounts; and Mr. Nelson J. Castonguay, Representation Commissioner.

The Chairman introduced the witnesses and informed the Committee of the correspondence received. With reference to a letter from Rev. B. H. Dance of Vancouver, B.C.,

On motion of Mr. Hymmen, seconded by Mr. Crossman,

Resolved,—That Rev. B. H. Dance be advised that the matter raised in his correspondence of November 25, 1965, will be presented before the Committee when the study of the Canada Elections Act has been referred to the Committee by the House of Commons.

On motion of Mr. Lind, seconded by Mr. Hymmen,

Resolved (on division),—That the Committee seek permission to reduce its quorum from 12 to 9 members.

On motion of Mr. Lessard, seconded by Mr. Rochon,

Resolved,—That the Committee print from day to day 750 copies in English and 500 copies in French of its Minutes of Proceedings and Evidence.

On motion of Mr. Lessard, seconded by Mr. Caron,

Resolved,—That a Subcommittee on Agenda and Procedure be appointed by the Chairman upon consultation with the Whips of the parties.

Referring to resolution passed at the first meeting of the Committee requesting an Order of Reference from the House for the Committee's examination, study and report of the Canada Elections Act, and after discussion on the validity of the motion made at that meeting,

Mr. Prud'homme moved, seconded by Mr. Rochon,

Resolved (unanimously),—That the motion passed at the organizational meeting on March 1st recommending that the Canada Elections Act be referred to the Committee for examination, study and report, be now rescinded.

The Committee then proceeded to the consideration of the Estimates of the Office of the Chief Electoral Officer.

Item No. 1—Office of the Chief Electoral Officer—Salaries and Expenses...\$112,000, was called.

Messrs. Hamel, Castonguay and Fauvelle supplied information to the Members.

Vote No. 1 was carried.

At 10.15 a.m., the Committee adjourned to the call of the Chair.

Gabrielle Savard,
Clerk of the Committee.

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EVIDENCE

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THURSDAY, July 7, 1966.

● (9.53 a.m.)

The CHAIRMAN: Gentlemen, I see a quorum, so we will now call the meeting to order.

First I would like to introduce the officials who are here today. Everyone knows Mr. Nelson Castonguay, the former Chief Electoral Officer, now the Representation Commissioner, and Mr. Hamel, the Chief Electoral Officer. There is also present Mr. Fauvelle, the chief examiner of election accounts. Would these gentlemen please come to the head table.

We do not have a very heavy agenda this morning, but we have a few routine matters that we would like to clean up and then we will proceed to the estimates of the Chief Electoral Officer and, as you know, the estimates are very short as there is only one vote.

We had some correspondence prior to our first meeting and some of it was dealt with, because it related to the duties of the Representation Commissioner and the correspondence was sent on to him. However, we had a letter from a Reverend Mr. Dance; he raised a matter that we will have to bring up when this Committee studies the Canada Elections Act this fall. Perhaps I should have a motion to deal with that and inform Mr. Dance that the subject matter of his letter will be dealt with.

Mr. HYMMEN: Mr. Chairman, I will make a motion that Reverend Mr. H. B. Dance be advised that the matter raised in his correspondence of November 25, will be presented before the Committee when the study of the Canada Elections Act has been referred to the Committee by the House of Commons.

Mr. CROSSMAN: I second the motion.

The CHAIRMAN: All in favour?

Mr. AIKEN: What is the particular matter, Mr. Chairman?

The CHAIRMAN: It is with regard to the broadcasting of results of elections from American stations. I guess this has been before the Committee before on occasion.

Is this motion carried?

Motion agreed to.

We have made several attempts at having a meeting, but we have never been able to secure a quorum. Probably one reason we have a quorum this morning is that there is not the usual number of committees sitting. I think, gentlemen, we should reduce our quorum or otherwise we may find it very difficult to secure a quorum in future meetings. I would entertain a motion to reduce the quorum, if the Committee so feels.

Mr. LIND: I will move, seconded by Mr. Hymmen that the quorum of 12 members be reduced to 9 members.

Mr. CARON: I oppose the motion, because the other day we were sitting in a Committee in the afternoon and they passed a piece of legislation in the House, and I was not there to discuss the matter. I will not oppose it in the House, but I am telling you I am opposing it in principle.

Mr. PRUD'HOMME: We are not asking to sit while the House is sitting.

Mr. CARON: They do not want to change the whole system.

The CHAIRMAN: On division?

It is carried on division.

Motion agreed to.

We will now ask for the usual motion for the number of copies of the proceedings to be printed in English and French.

Mr. LESSARD: Mr. Chairman, I move, seconded by Mr. Rochon, that 750 copies be printed in English and 500 in French.

Motion agreed to.

The CHAIRMAN: There is also the matter of a subcommittee. I think this fall we are going to study the Canada Elections Act and, as you know, to prepare a proper agenda the Chairman needs some assistance. I would suggest to the Committee that they proceed, if they so desire, with setting up a subcommittee.

Mr. TARDIF: What size of subcommittee would that be, Mr. Chairman?

Mr. CARON: It is up to the Chairman to decide and choose his own subcommittee.

The CHAIRMAN: Can I have a motion to that effect?

It is moved by Mr. Lessard and seconded by Mr. Caron, that a Subcommittee on Agenda and procedure be appointed by the Chairman upon consultation with the whips of the parties.

Motion agreed to.

You will recall that at the March 1 meeting, there was a motion passed requesting an order of reference from the House for the Committee's examination, study and report of the Canada Elections Act. When the first report was being prepared for tabling, the point was raised that the Committee acted beyond its terms of reference and, as your Chairman, I took steps to get the views of some of the officials of the House. I wrote to the Clerk of the House, the Parliamentary Counsel and the Chief of the Committees' Branch and asked them their views and opinions on the action of the Committee in passing this motion. All three of them stated in written form that in their view, the Committee acted beyond its terms of reference.

I do not think there is a great deal involved in this particularly, because I have been told we are going to have the Canada Elections Act before the Committee this fall anyway. This is something that has happened before and I think the Committees' Branch would like to have some sort of ruling on it. I would like to have a decision from the Committee this morning as to our action in that regard. If they continue to support that action then, I will include it in the report. If you think we are out of order in so doing, based on the written opinions that I received,—and I do not think I should read them, because some

are fairly lengthy—then, say so. Therefore, I will leave it up to the Committee to decide.

Mr. AIKEN: Mr. Chairman, was the report accepted in the House?

The CHAIRMAN: We did not present it.

Mr. AIKEN: I was not here, because I was attending other Committees. I think the Committee did act beyond its powers, because there have been several cases in the past, some very famous ones, where a Committee was not allowed to ask what it should investigate.

The CHAIRMAN: The crux of the opinions expressed is that the Committee cannot deal with anything except what is referred to it by the House.

(Translation)

Mr. CARON: Mr. Chairman, we should admit the fact that we have done nothing illegal; we simply asked the House to refer the Elections Act to us. It was just a request. We have done nothing illegal relatively to what is referred to us by the House. We had the right to put that request, and all the House had to do was to answer no if it did not want to accede to it. I think you should leave things as they are. All the House can do is to say no and not refer this to us.

Mr. LACHANCE: Mr. Chairman, I know that our colleague from Hull is very well versed in parliamentary procedure, but what would be the use of asking the House to allow us to examine this matter if in any event it cannot be studied should the House not adopt a resolution to the effect that it be referred to us?

If I understood the matter properly, even if the House should accept our suggestion, we could not study that problem unless the House would adopt a resolution or a motion for referral. That is, I feel, the crux of the matter.

Mr. CARON: What I said is because it was indicated that we had acted illegally by asking that the Elections Act be referred to us; but I believe that any committee has the right to ask the House to refer something to it and all the House can do is say no. What I do not like is that it is said that we have acted illegally. It is not true.

Mr. LACHANCE: Even if the House would accept, Mr. Chairman, it does not change anything if it does not refer the matter to us by a motion. We still cannot deal with it.

Mr. CARON: It can be refused but I still wanted to say what I did say.

(English)

The CHAIRMAN: Order, please, gentlemen. Please address your remarks to the Chair.

Mr. PRUD'HOMME: Maybe Mr. Caron and I would be in accord if I move seconded by Mr. Rochon, that the motion passed at the organizational meeting on March 1 recommending that the Canada Elections Act be transferred to the Committee for examination, study and report was not in order, as the Committee took action beyond its terms of reference and that the motion passed at the March 1 meeting be now rescinded.

(Translation)

Mr. CARON: That is not the case. We have not gone beyond our terms of reference.

(English)

We just acted according to our powers to ask them. The only thing they have to do is refuse, that is all.

The CHAIRMAN: The wording of the motion was to study, examine and report. They claim that it was beyond our powers to do this.

Mr. PRUD'HOMME: I will omit "was not in order, etc."

The CHAIRMAN: You have heard the motion as amended. What is your pleasure?

Mr. PRUD'HOMME: The motion should read: That the motion passed at the organizational meeting on March 1, recommending that the Canada Elections Act be referred to the Committee for examination, study and report be now rescinded.

The CHAIRMAN: Are there any further questions? All in favour?

Motion agreed to.

We will now proceed to examine the estimates of the Chief Electoral Officer and I think you all have a copy of the estimates.

OFFICE OF THE CHIEF ELECTORAL OFFICER

1. Salaries and expenses of office, \$112,000

The CHAIRMAN: Is vote 1 carried?

Mr. AIKEN: I have a couple of questions I would like to ask.

The CHAIRMAN: Proceed, Mr. Aiken.

Mr. AIKEN: I would like to ask for a comparative figure—not for the cost of the Chief Electoral Officer so much as the cost of the election itself—compared to previous years. I wonder if the Chief Electoral Officer has figures of the over-all increase in the cost of elections for the last three.

Mr. J. M. HAMEL (*Chief Electoral Officer*): We have the last two elections in the blue book: For 1963-64, it was \$11,669,000 and in 1965-66 the estimate is \$30,500,000, and the actual cost was \$12,974,000 or to be exact \$12,974,456.35.

Mr. AIKEN: Is there a previous figure?

Mr. HAMEL: I do not have previous figures, but we could get them if you wish.

Mr. AIKEN: It is not essential. Could you tell me whether this increase in cost is mostly due to increases in remuneration to election officers?

Mr. HAMEL: No, I think it is mainly based on the increase in the number of electors. In all cases the cost per elector is about the same, about \$1.25. In the last election it was exactly \$1.26.2 per elector. That is not per voter, but for persons on the list.

Mr. AIKEN: And this has not changed substantially since the previous election?

Mr. HAMEL: The tariff fees remain the same.

Mr. AIKEN: What was the actual reason for the increase?

Mr. HAMEL: It was because there was a larger number of electors on the list.

Mr. AIKEN: That would be the cost of printing, enumeration, and so forth?

Mr. HAMEL: That is right. Mr. Castonguay tells me that every year there is a potential increase of 250,000 electors.

The CHAIRMAN: Are there any further questions?

Mr. HYMMEN: Mr. Chairman, I have a question I would like to ask Mr. Castonguay. In view of the reorganization of polling divisions in the newly created constituencies and other details, can the Representation Commissioner make an estimate of the earliest date a federal election could be conducted?

Mr. NELSON J. CASTONGUAY (*Representation Commissioner*): Well, there is a sectional distribution that must take place now and that is the redistribution of our 50,000 polling divisions in the 258 constituencies that have changed. I have always given an estimate on time and it is within two months after the last returning officer is appointed. Now previous experience has shown that the question of the appointment of returning officers, certainly after the 1947 redistribution, and the 1952 redistribution, it has taken me a year to get the last returning officer. My estimate always was based—and I do not know whether my successor will be the same—within two months after the last returning officer is appointed.

● (10.08 a.m.)

(*Translation*)

Mr. LACHANCE: At the present time, the present returning officers are not entitled to carry out redistribution of certain polling subdivisions.

Mr. CASTONGUAY: We have section 8 of the Elections Act and section 27 of the new act, this matter is at present under study by the government but we have had no decision in that regard.

Mr. LACHANCE: But when a new returning officer is appointed in a constituency whether it be under the old act or the new act, how much time does he have to carry out this redistribution?

Mr. CASTONGUAY: As you know, the Chief Electoral Officer is responsible to me, he conducts the elections under my instructions and my direction. I have given him instructions, I have asked him to begin redistribution of polls on August 15, because he will have to take two months, I think to carry out the necessary work before calling the returning officers in.

Now, as far as the returning officers are concerned. For those who have had experience in the past, we may say that a course of one day is adequate for the redistribution of polls in his constituency. However, for a new returning officer with no experience, it is not sufficient that he be sent this book and that he be told: "Follow the instructions here". He needs an instruction course of three

days, but once his course is over, whether he has experience or not, he is given two months to finish off the revision or redistribution of polls within his constituency.

Mr. LACHANCE: Is that statutory?

Mr. CASTONGUAY: No, these are the instructions I give to my returning officer in the constituency, according to the Act, I asked to have the work finished by December the 15th.

Mr. LOISELLE: Mr. Chairman, I would like to return to a question previously put to Mr. Hamel. Mr. Hamel said that the average increase of the electors was 250,000, in other words, if we have an election after four years, after four years there has been an increase of 1,000,000 electors approximately, is that it? This increase of 250,000 is the average over the last few years?

Now, do you have any projections in this respect? Should the government decide, for instance, that the voting age be extended to 18 years old, what would be the number of electors?

Mr. HAMEL: Approximately 700,000 more.

Mr. LACHANCE: Today?

Mr. LOISELLE: 700,000 all over Canada? In the province of Quebec there were 300,000 or 400,000, I believe—

Mr. HAMEL: It was stated, I believe, that in Quebec there were 300,000 more electors the last time, but this was the 18 to 24 group.

Mr. LOISELLE: Those who had not voted in—?

Mr. HAMEL: Those who had not voted in 1962.

Mr. LOISELLE: Very good.

(English)

The CHAIRMAN: Are there any further questions.

Mr. AIKEN: I have a further question. I would like to ask if there are any outstanding prosecutions for election offences in the 1965 general election?

Mr. CASTONGUAY: No, there are none. I have reviewed all the evidence and there was not sufficient evidence to take any further action.

Mr. AIKEN: Do I understand there were no prosecutions?

Mr. CASTONGUAY: No; there were no prosecutions.

(Translation)

Mr. LACHANCE: Mr. Chairman, in the matter of the constituency Mr. Neveu represents, the constituency of Shefford, at the last election there was one box into which election documents had been put that had disappeared.

Mr. CASTONGUAY: The matter was investigated but I had no evidence on which to proceed against anybody.

(English)

The CHAIRMAN: Does vote 1 carry?

Some hon. MEMBERS: Carried.

Item agreed to.

The CHAIRMAN: Well gentlemen, that concludes our business for this meeting and the meeting is now adjourned to the call of the Chair. Thank you very much for coming.

OFFICIAL REPORT OF MINUTES
OF
PROCEEDINGS AND EVIDENCE

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and/or a translation into English of the French.

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LÉON-J. RAYMOND,
The Clerk of the House.